

Hanover County, Virginia

Land Use Map

Legend

	Agricultural
	Rural Village
	Suburban Transitional
	Suburban General
	Suburban High
	Multi-Family
	Commercial
	Multi-Use
	Mixed-Use (LC/HR)
	Mixed-Use (HC/LR)
	Business-Industrial
	Industrial
	Limited Industrial
	Planned Business
	Destination Commerce
	Flood Plain

C-10-99, Am. 1-15

HCT Holdings, L.L.C., et al.

proffer amendment

Planned Business Land Use

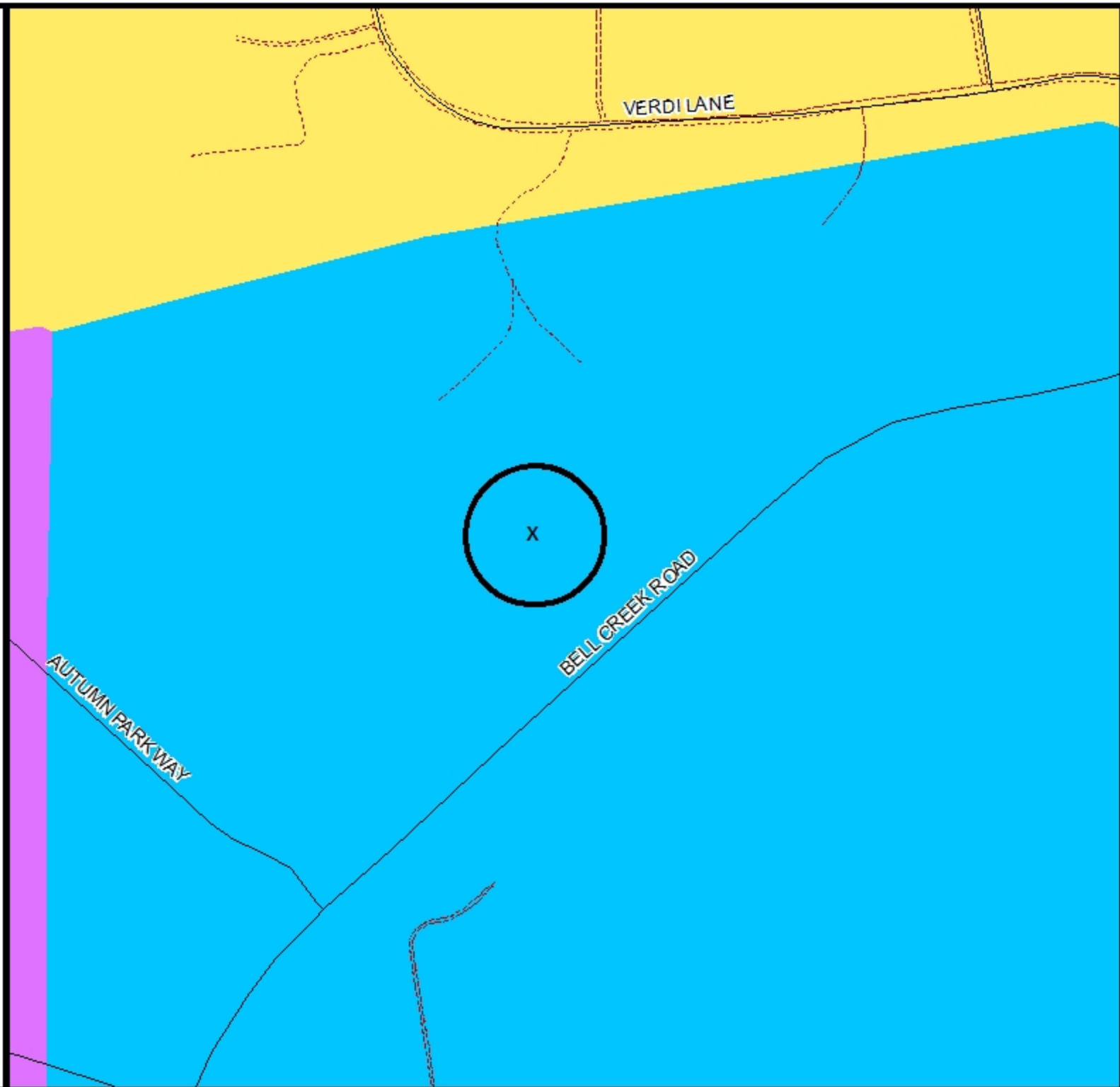
GPIN's: 0715-40-0767, et al.

Chickahominy Magisterial District



1 inch = 300 feet

July 07, 2015



**Hanover County,
Virginia**

General Parcel Map

Legend

- Roads
- Water
- Trees
- Private Road
- Structures
- Parcels

C-10-99, Am. 1-15

HCT Holdings, L.L.C., et al.

proffer amendment

Zoned M-1

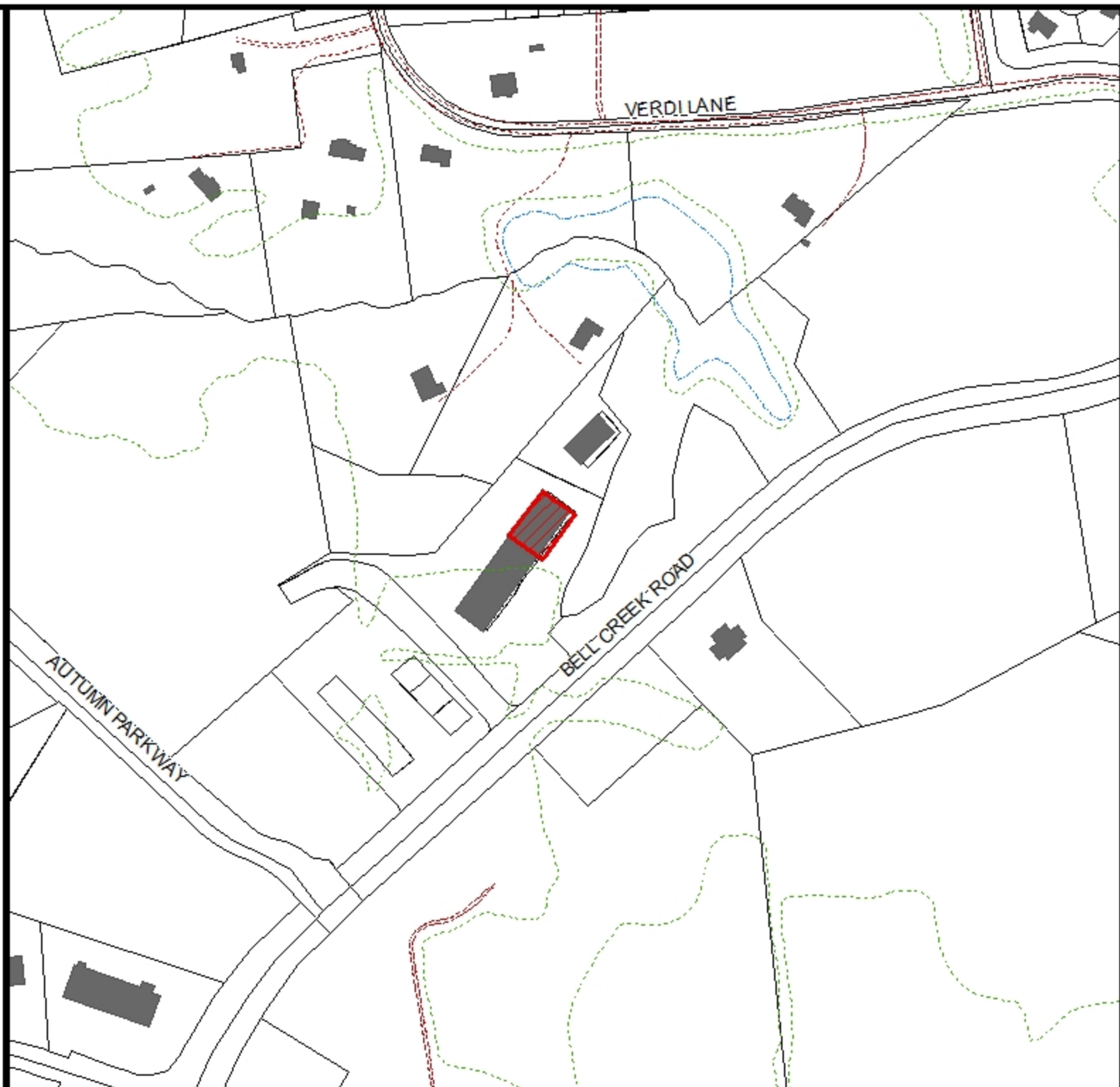
GPIN's: 8715-48-8767, et al.

Chickahominy Magisterial District



1 inch = 300 feet

July 07, 2015



Hanover County, Virginia

Zoning Map

Legend

— Roads	R-4
- - - Water	R-5
- - - Private Road	R-6
□ Parcels	RM
□ CUP	MX
□ A-1	B-1
□ AR-1	B-2
□ AR-2	B-3
□ AR-6	O-S
□ RC	B-O
□ RS	M-1
□ R-1	M-2
□ R-2	M-3
□ R-3	

C-10-99, Am. 1-15

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proffer amendment

Zoned M-1

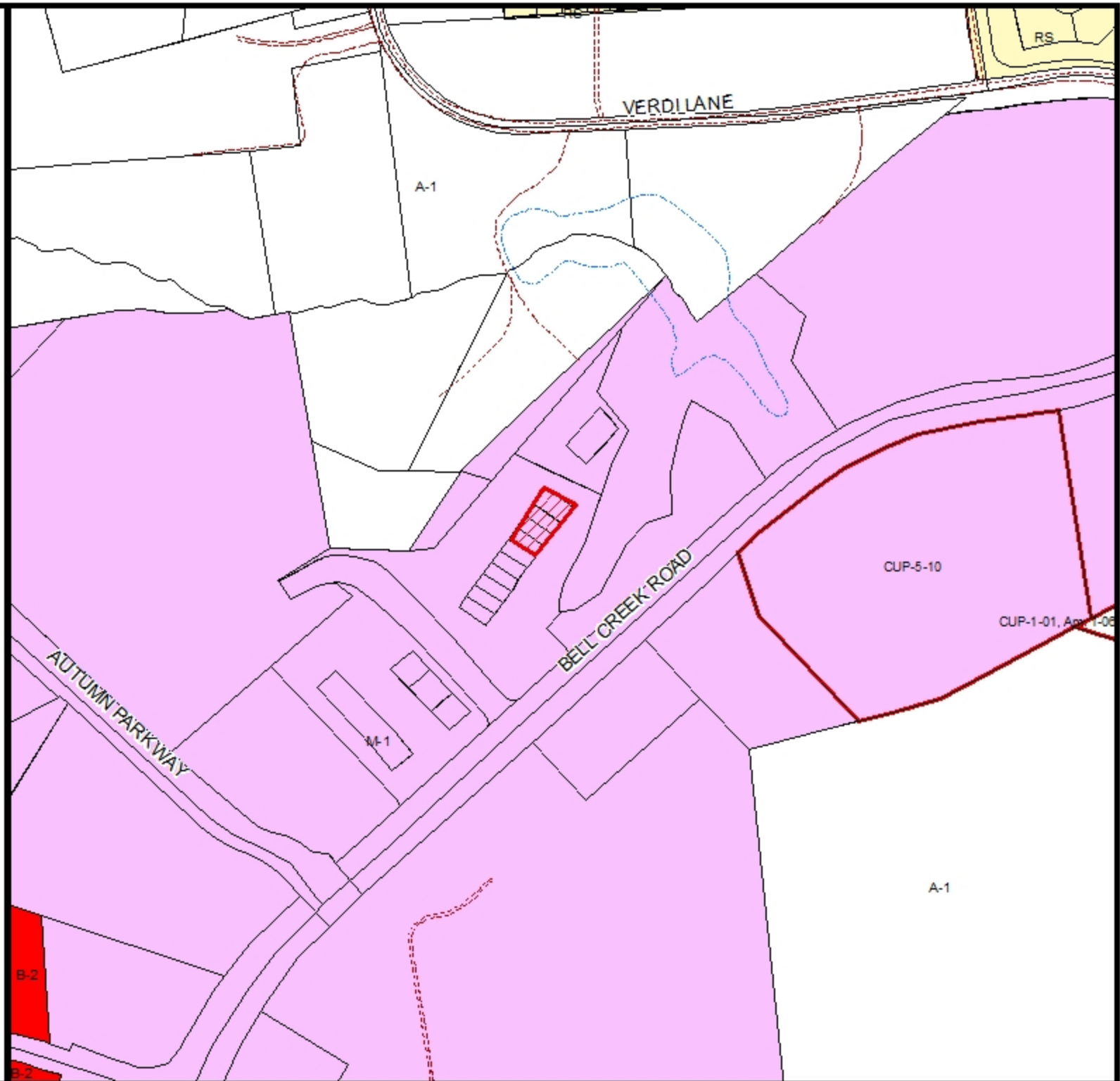
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Chickahominy Magisterial District



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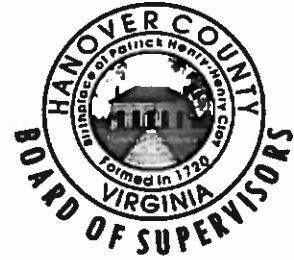
BELL CREEK ROAD RT 642



0 40 80 160 Feet

C-10-99(c), AM. 1-15, HCT HOLDINGS, L.L.C., ET AL.

Industrial Rezoning Amendment Report
Chickahominy Magisterial District
Board Meeting Date: September 23, 2015



Overview

Amendment Request	To permit food processing and distribution
Current Zoning	M-1(c), Limited Industrial District with conditions
Acreage	10,500 square feet
Location	Located on the north line of Bell Creek Road (State Route 642) approximately 575 feet east of its intersection with Autumn Park Way (State Route 1556)
GPINs	8715-48-8767, 8715-48-8744, 8715-48-8732, 8715-48-8619
General Land Use Plan	Planned Business
Major Thoroughfare Plan	Bell Creek Road – Major Collector (100' right-of-way)
Suburban Service Area	Inside
Case Planner	Gretchen Biernot

Executive Summary

This is a request to amend the approved proffers to allow for the processing and distribution of butchered, cut, and cooked meats within an office/warehouse complex in Bell Creek Park. This use is currently prohibited by the proffers.

Recommendations

Staff

APPROVAL subject to the submitted proffers, dated August 6, 2015.

Planning Commission

APPROVAL subject to the submitted proffers, dated August 6, 2015.

Planning Analysis

The applicant is requesting a proffer amendment to permit the processing and distribution of meats, which is currently a prohibited use in zoning case C-10-99, Am. 1-09, Hanover Group, LLC. The applicant's business operations are further described as follows:

- The company receives the meat, which is butchered and cut off premises.
- The meat cuts are then ground up, mixed with spices, and stuffed into a casing.
- The casing is hung up to dry for a month.
- When the product has been sufficiently dried, it is packaged, boxed, and shipped.

No physical changes to the exterior of the property will occur by allowing this use, and traffic will not be impacted. In addition, this limited industrial use is consistent with the Planned Business designation of the Comprehensive Plan.

Staff would note that the applicant has already occupied and has begun operating on the subject property. Subsequent to occupying the property, the applicant discovered that food processing was a use not permitted under the zoning of the property. The submittal of this application is an effort to bring the property into compliance.

Agency Analysis

There were no substantive comments from any of the reviewing agencies.

Proffers

Staff recommends approval of the submitted proffers, dated August 6, 2015. The proffer revisions are limited to allowing for the processing of meats for sausage products exclusively on the subject property. All other proffers remain in effect.

Planning Commission Recommendation

At their meeting of August 20, 2015, the Hanover County Planning Commission, on a motion by Mr. Padgett, seconded by Mr. Whittaker, voted to recommend **APPROVAL** of the request to amend the proffers on GPINs 8715-48-8767, 8715-48-8744, 8715-48-8732, and 8715-48-8619, consisting of approximately 10,500 square feet, subject to the submitted proffers.

GJWB/sm/HTE

Attachments

- ☒ Maps (land use, vicinity, zoning, aerial)
- ☐ Historical Commission Recommendation
- ☐ County Traffic Study – Exec. Summary
- ☒ Approved Proffers/Elevations/Conceptual Plan
- ☒ Application Materials
- ☐ Citizen Correspondence
- ☒ Proposed Proffers/Elevations/Conceptual Plan
- ☒ Ordinance

Available Upon Request

- ☒ Agency Review Comments
- ☐ County Traffic Study – Full Copy
- ☒ Application – Full Copy
- ☐ 527 Traffic Study – Full Copy

ORDINANCE C-10-99(c), AM. 1-15

OWNER OF RECORD: HCT HOLDINGS, L.L.C., ET AL.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL** of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 23rd day of September, 2015, and advertised in the *Hanover Herald-Progress* once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by amending C-10-99(c), Am. 1-09, Hanover Group, L.L.C., the rezoning of the property described as GPINs 8715-48-8767, 8715-48-8744, 8715-48-8732 and 8715-48-8619, consisting of approximately 10,500 square feet, located on the north line of Bell Creek Road (State Route 642) approximately 575 feet east of its intersection with Autumn Park Way (State Route 1556), (a detailed description is filed with the Board's papers) zoned M-1(c), Limited Industrial District with conditions, subject to the following conditions which were proffered by the Applicant on August 6, 2015, and accepted by the Board:

1. Introductory Matters.

- 1.1. In general. The undersigned owners (the "Owners") of parcels bearing GPINs 8715-79-1704, 8716-61-2006, 8716-50-1578, 8716-64-5872, 8715-37-9793, 8715-57-1316, 8715-48-8294, 8715-58-3677, 8716-71-2482, and 8716-70-0290 located in Hanover County, Virginia, (collectively, the "Property") hereby proffer that the use and development of the Property shall be in substantial conformance with the following conditions, which shall supersede all other proffers made prior hereto. Further, these proffers are contingent upon final rezoning of the Property, with "final rezoning" defined as that rezoning which is in effect on the day following the last day upon which the Hanover County Board of Supervisors (the "Board") decision granting the rezoning may be contested in the appropriate court or, if contested, the day following entry of a final court order affirming the decision of the Board if appealed. Should this application be denied by the Board, but in the event it is for any reason thereafter remanded to the Board for reconsideration by a court of competent jurisdiction, then these proffers shall be deemed withdrawn unless the Owners shall affirmatively readopt all or any portion hereof, in a writing specifically for that purpose.

1.2. **Headings.** The headings of the proffers set forth below have been prepared for convenience or reference only and shall not control or affect the meaning or be taken as an interpretation of any provision of the proffers. The term "Applicant" as referenced herein shall include the present Owners of the Property, and their heirs, successors, and assigns, and these Proffers, once accepted by the Board in accordance herewith, shall be binding on the development of the Property subject thereto unless repealed or amended by further action of the Board.

2. **Proffered Development Plan.** The Property shall be developed in substantial conformance with the "Bell Creek Conceptual Development Plan," prepared by Resource International, Ltd., and dated September 21, 2000, and bearing an October 20, 2000, revision date, (the "CDP"); provided that the Applicant may adjust road and lot lines, and other engineering detail subject to the approval of the Planning Director, which adjustments are necessary effectively to design the Property based on final engineering. In addition to the CDP approved with C-10-99(c), Henry A. Shield, the approved plan shall also consist of the following amendments: C-10-99(c), Henry A. Shield (Shelton's Grant), "The Hanover Group, L.L.C., the Bluffs at Bell Creek – Active Adult, Section 4 Conceptual Plan," prepared by Resource International, Ltd., and dated July 6, 2004, last revised on October 25, 2004, and C-10-99(c), AM.1-06, Bell Creek Homeowners Association, "The Bluffs at Bell Creek, Section III, Community Entrance Sign Location Sketch," prepared by Resource International, Ltd., and dated April 27, 2006, and the "Preliminary Rough Sketch of Community Entrance," submitted March 6, 2006, and revised March 24, 2006.

3. **Proffers Applicable to the B-2 Commercial, and the M-1 Business, Areas.**

3.1. **Architectural/Building Materials in the B-2 Commercial Center.**

The B-2 property shall be developed with a unified architectural theme. The standard of compatibility may be met through scale, materials, forms and/or colors which may be embodied in architecture that is contemporary as well as traditional. Retail and business structures shall be designed to meet the following general standards. Elevations of proposed structures shall be submitted to the Planning Commission for review and approval prior to final approval of site or subdivision plan for any structure in the commercial component of the project, and that approval shall not be unreasonably withheld.

3.1.1. Building materials utilized for the front and side façades of the buildings shall be limited to brick, split-faced block, metal, fluted block, tile, concrete tile, dryvit or other simulated stucco (EFIS), real or simulated wood and/or glass. Metal may be used for not more than 15% of front and side building façade materials, exclusive of window frames and door frames. Roofs, including Mansard and other decorative roofs, shall not be interpreted to be a part of any building façade. Standard concrete masonry block shall not be used for the front and side façades of any buildings.

- 3.1.2. Service and delivery loading docks will be located at the rear of structures, or wholly screened from view from any right of way.
- 3.1.3. Any mechanical units placed on the rooftops of buildings shall be screened by architectural features which are compatible with building façade architecture. Screening shall be designed so as to block such units from view by persons on any public streets immediately adjoining the Property, or from adjacent residential uses.
- 3.1.4. Adjacent façades will be compatible with each other and architectural features such as setbacks, changes in building materials, canopies or differences in roof height will be used to add visual interest. Exterior walls fronting a promenade will not exceed one hundred feet in length without altering the appearance of the building(s) by using a mixture of compatible building materials or, alternatively, by providing a variance in setback of at least two feet.
- 3.2. Architectural/Building Materials in the Business Park. The M-1 property shall be developed with a unified architectural theme generally compatible with the B-2 property. The standard of compatibility may be met through scale, materials, forms and/or colors that may be embodied in architecture that is contemporary as well as traditional. Structures shall be designed to meet the following general standards. Elevations of proposed structures shall be submitted to the Planning Commission for review and approval prior to final approval of a site or subdivision plan for any structure in the business park component of the project and that approval shall not be unreasonably withheld.
 - 3.2.1. Building materials utilized for the front and side façades of the buildings shall be limited to brick, split-faced block, metal, fluted block, tile, concrete tile, dryvit or other simulated stucco (EFIS), real or simulated wood and/or glass. Metal may be used for not more than 15% of front and side building façade materials, exclusive of window frames and doorframes. Roofs, including Mansard and other decorative roofs, shall not be interpreted to be a part of any building façade. Standard concrete masonry block shall not be used for the front and side façades of any buildings.
 - 3.2.2. Service and delivery loading docks will be oriented, to the extent feasible, to reduce their visibility from public road frontages. If such facilities are not substantially blocked from view from the public roadways, or adjacent residential uses, they will be treated with architectural elements and/or decorative fencing and/or evergreen landscaping to screen their visibility from the public roadways.
 - 3.2.3. Architectural features compatible with building façade architecture shall screen any mechanical units placed on the rooftops of buildings. Screening shall be designed so as to block such units from view by persons on any public streets immediately adjoining the Property, or from adjacent residential uses.

3.3. Additional Development Standards in the M-1 District. Development within the M-1 District shall further conform to the following general standards. Nothing contained herein shall be deemed to preclude the Applicant from developing more stringent standards in restrictive covenants that may be made applicable to the M-1 property.

3.3.1. Project perimeter buffer. A continuous buffer no less than fifty (50) feet in width shall be established along the boundary of the M-1 district where that boundary is contiguous to a residential district so planned in the Comprehensive Plan. Where such boundary is contiguous with other planned districts, a buffer no less than twenty-five (25) feet in width shall be established and maintained.

- a) No buildings or parking areas shall be permitted within the buffer.
- b) A visual screen consisting of a berm, fence, or screen planting, in accordance with standards contained in the Zoning Ordinance, Article 7, Section 2A, shall be provided along the inner perimeter established by the buffer where the buffer is contiguous with such a planned residential district. Where the buffer is contiguous with other zoning districts, grass or other ground cover shall be established and maintained.
- c) Drainage, utility, or other easements may penetrate the buffers to the minimum extent necessary and shall be perpendicular to the buffer to the extent practicable. Should it be necessary to locate drainage, utilities, or other easements within these areas, the buffer width shall be increased by the width of the easement to compensate for the encroachment and maintain the integrity of the buffer.

3.3.2. Open space. At least twenty (20) percent of the area within the district shall be used for permanent open space, which may include areas reserved for buffers, and parking lot and site landscaping. This area may be used for landscaping, lawns, screening, outdoor recreation areas, and other similar uses.

3.3.3. Street buffer. There shall be a continuous buffer no less than twenty (20) feet in width along each side of every public road within the district. Within the buffer, landscaping, in accordance with the standards set forth for the RS District at Article 5, § 3.4(b) (1), shall be provided. No structure, parking, or driveways shall be permitted within this area except for vehicular and pedestrian ingress and egress areas, sidewalks and signs.

3.3.4. Parking lot landscaping. Any parking lot containing more than ten (10) spaces shall be landscaped according to the requirements specified in the Zoning Ordinance, Article 5A, Section 3.2.

3.3.5. Utility lines. All utility lines, such as electric, telephone, cable television, or other similar lines, shall be placed underground. This requirement shall apply to lines serving individual sites as well as the lines serving the overall project. All junction and access boxes shall be screened with appropriate landscaping. To the extent possible, utility service lines shall be located so as to disturb as little natural vegetation on site as possible.

3.3.6. Outside storage. There shall be no outside storage of equipment, materials, or supplies, except that an outdoor trash receptacle may be used if it is enclosed within an area that is completely screened from view in a manner that is architecturally compatible with the building(s) on site. Vehicles used in conjunction with a permitted use in the district may be stored within a parking area designed for such use, but the parking area shall be landscaped in accordance with the standards of the Zoning Ordinance, Article 5, Section 3.2, and shall be screened in accordance with the requirements of Article 7, Section 2A. Chain-link, wire mesh, and similar fence materials shall not be permitted.

3.3.7. Control of heavy truck traffic. In order to reduce heavy truck traffic on Pole Green Road to the east of its intersection with Bell Creek Road extended, the Applicant shall provide by appropriate restrictive covenants that truck traffic associated with any distribution or warehousing facility that may be constructed within the M-1 property shall be directed to enter and leave the project by means of Pole Green Road west of the Property.

4. Tree preservation. Existing trees of five inch caliper or greater located on the Property shall not be removed with the exception of dead or diseased trees or parts thereof. Nothing contained herein shall preclude the removal of trees necessary for the construction of any building structures, roads, utility lines, or driveways, to include construction encroachment within the canopy perimeter, or drip line.
5. Site lighting. The Applicant shall provide lighting in the B-2 and M-1 properties not greater than twenty-five feet in height, and such lighting shall be so arranged as reasonably to protect adjacent properties from direct glare or hazardous interference.
6. Interconnection of pedestrian paths, construction requirements. Pedestrian paths shall be provided within the Property so as to interconnect the M-1 District with the B-2 District, and shall be so located and constructed as to facilitate future extensions onto adjoining properties on the eastern and western boundaries of the B-2 District, in accordance with the requirements of the Subdivision Ordinance. All parking areas shall be constructed of durable materials such as asphalt, concrete, pavers, or chemically bonded, compacted, and stabilized materials.
7. Signage. All freestanding signage in the B-2 and M-1 properties shall be of monument style.

8. Limitation on uses. In order that the uses permitted in the M-1 District shall more closely approximate the uses permitted in the OS, Office/Service District, the following uses shall not be permitted:

- a. Billiard parlors or pool halls; and
- b. Gun shop, sales and repair.
- c. No railroad spur tracks shall be permitted.
- d. Dwellings for resident watchmen and caretakers employed on the premises.
- e. Agriculture and forestry, as permitted in the A-1 agricultural district.
- f. Except for the grinding, blending, processing, and packaging of meats for sausage products, the manufacturing, compounding, processing, packaging or treatment of the following shall not be permitted:
 - i. Food and beverages (blending, bottling, canning, manufacturing, packaging, or processing), but not distilling of beverages, slaughtering of animals, or processing or bulk storage of grain or feeds for animals.
 - ii. Rugs, mattresses, pillows, quilts, millinery, hosiery, clothing, and fabrics; printing and finishing of textiles and fibers into fabric good.
 - iii. Boxes, furniture, cabinets, baskets, and other wood products of similar nature.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of _____, seconded by _____, the members of the Board of Supervisors voted to approve Ordinance C-10-99(c), Am. 1-15, HCT Holdings, L.L.C., et al., as follows:

Vote:

Wayne T. Hazzard
Aubrey M. Stanley
Sean M. Davis
Angela Kelly-Wiecek
W. Canova Peterson, IV
G. E. Via, III
Elton J. Wade, Sr.

Public Hearings:

Planning Commission August 20, 2015

Board of Supervisors September 23, 2015

Adopted September 23, 2015

This is to certify that the above is a true copy of C-10-99, Am. 1-15, adopted by the Hanover County Board of Supervisors on _____.

Dated: _____

Cecil R. Harris, Jr.
County Administrator / Clerk
Hanover County Board of Supervisors

GJWB/sm/hte